

Gary A. Bornstein  
Cravath, Swaine & Moore LLP  
Worldwide Plaza  
825 Eighth Avenue  
New York, NY 10019

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

MICHAEL J. ANGLE

CASE NUMBER

CV 14-2066-CBM(Ex)

v.

Plaintiff(s)

UTI WORLDWIDE INC., ET AL.,

Defendant(s).

APPLICATION OF NON-RESIDENT ATTORNEY  
TO APPEAR IN A SPECIFIC CASE  
PRO HAC VICE

**INSTRUCTIONS FOR APPLICANTS**

- (1) Complete Section I of this Application, sign the certification in Section II, and have your designated Local Counsel sign in Section III; note that electronic signatures are not accepted. Space to supplement your responses is provided in Section IV. Attach a Certificate of Good Standing (issued within the last 30 days) from every state bar to which you are admitted. Scan the completed and signed Application, with attachment(s), to a single Portable Document Format (PDF) file.
- (2) Have your Local Counsel e-file your Application, using the Court's CM/ECF System, and submit a Proposed Order (using Form G-64 ORDER, available from the Court's website).
- (3) Submit payment in the amount of \$325 for each case in which you file an Application. Payment may be submitted at the time of e-filing through Pay.gov, or by delivering payment to the Clerk's Office (Attn: Fiscal) with a copy of the e-filed Application. If your payment is not received within 5 days of the filing of your Application, your Application may be rejected. You will not be allowed to participate as an attorney of record in this case until your payment is received.

**SECTION I - INFORMATION**

Gary A. Bornstein

Applicant's Name (Last Name, First Name & Middle Initial)

Cravath, Swaine & Moore LLP

Firm Name

Worldwide Plaza

(212) 474-1084

(212) 474-3700

825 Eighth Avenue

Telephone Number

Fax Number

Street Address

New York, NY 10019

gbornstein@cravath.com

City, State, Zip Code

E-Mail Address

I have been retained to represent the following parties:

UTi Worldwide Inc.

☐ Plaintiff ☒ Defendant ☐ Other:

Eric W. Kirchner and Richard G. Rodick

☐ Plaintiff ☒ Defendant ☐ Other:

Name(s) of Party(ies) Represented

List all courts to which you have been admitted and the current status of your membership:

<u>Name of Court</u>	<u>Date of Admission</u>	<u>Active Member in Good Standing? (if not, please explain)</u>
NY Appellate Division, Second Department	11/4/1998	Yes
US Court of Appeals for the 2nd Circuit	12/8/2009	Yes
US Court of Appeals for the 3rd Circuit	12/16/2009	Yes
US Court of Appeals for the 4th Circuit	6/14/2002	Yes

List all cases in which you have applied to this Court for *pro hac vice* status in the previous three years:

<u>Case Number</u>	<u>Title of Action</u>	<u>Date of Application</u>	<u>Granted / Denied?</u>

If any *pro hac vice* applications submitted within the past three (3) years have been denied by the Court, please explain:

Have you previously registered as a CM/ECF user in the Central District of California? ☐ Yes ☒ No

If yes, was your CM/ECF User account associated with the e-mail address provided above? ☐ Yes ☐ No:

\_\_\_\_\_  
Previous E-Mail Used (if applicable)

You must be registered for the Court's Case Management/Electronic Case Filing ("CM/ECF") System to be admitted to practice *pro hac vice* in this Court. Submission of this Application will constitute your registration (or re-registration) as a CM/ECF User. If the Court signs an Order granting your Application, you will either be issued a new CM/ECF login and password, or the existing account you identified above will be associated with your case. Pursuant to Local Rule 5-3.2.2, registering as a CM/ECF User is deemed consent, for purposes of Fed. R. Civ. P. 5(b)(2)(E), to electronic service of documents through the CM/ECF System. You have the right to withhold or revoke your consent to electronic service at any time; simply complete and return a Central District Electronic Service Exemption Form (Form G-05, available from the Court's website). If the Court receives an Electronic Service Exemption Form from you, you will no longer receive notice by e-mail when Court orders or other documents are filed in cases in which you are counsel of record; instead, copies of such documents will be sent to you through the mail.

## **SECTION II - CERTIFICATION**

I declare under penalty of perjury that:

- (1) All of the above information is true and correct.
- (2) I am not a resident of the State of California. I am not regularly employed in, or engaged in substantial business, professional, or other activities in the State of California.
- (3) I am not currently suspended from and have never been disbarred from practice in any court.
- (4) I am familiar with the Court's Local Civil and Criminal Rules, the Federal Rules of Civil and Criminal Procedure, and the Federal Rules of Evidence.
- (5) I designate the attorney listed in Section III below, who is a member in good standing of the Bar of this Court and maintains an office in the Central District of California for the practice of law, as local counsel pursuant to Local Rule 83-2.1.3.4.

Dated 05/29/2014

Gary A. Bornstein

\_\_\_\_\_  
Applicant's Name (please type or print)

\_\_\_\_\_  
Applicant's Signature

**SECTION III - DESIGNATION OF LOCAL COUNSEL**

Mitchell A. Kamin

*Designee's Name (Last Name, First Name & Middle Initial)*

BIRD, MARELLA, BOXER, WOLPERT, NESSIM, DROOKS, LINCENBERG & RHOW, P.C.

*Firm Name*

1875 Century Park East

23d Floor

*Street Address*

Los Angeles, CA 90067-2561

*City, State, Zip Code*

310.201.2100

*Telephone Number*

mak@birdmarella.com

*E-Mail Address*

State Bar No. 202788

*Designee's California State Bar Number*

310.201.2110

*Fax Number*

**I hereby consent to the foregoing designation as local counsel.**

Dated 5/29/14

Mitchell A. Kamin

*Designee's Name (please type or print)*

*Designee's Signature*

**SECTION IV - SUPPLEMENT ANSWERS HERE (ATTACH ADDITIONAL PAGES IF NECESSARY)**

US Court of Appeals for the 5th Circuit: Admitted on 11/2/2004; in good standing.

US District Court for the Southern District of New York: Admitted on 2/6/2001; in good standing.

US District Court for the Eastern District of New York: Admitted on 2/6/2001; in good standing.

US Supreme Court: Admitted on 1/21/2014; in good standing.



**Appellate Division of the Supreme Court  
of the State of New York  
Second Judicial Department**

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**I, Aprilanne Agostino, Clerk of the Appellate Division of the Supreme Court of the State of New York, Second Judicial Department, do hereby certify that Gary Andrew Bornstein was duly licensed and admitted to practice as an Attorney and Counselor-at-Law in all the courts of the State, according to the laws of the State and the court rules and orders, on the 4<sup>th</sup> day of November 1998, has duly taken and subscribed the oath of office prescribed by law, has been enrolled in the Roll of Attorneys and Counselors-at-Law on file in my office, has duly registered with the administrative office of the courts, and according to the records of this court is in good standing as an Attorney and Counselor-at-Law.**

**In Witness Whereof, I have hereunto set my hand and affixed the seal of said Appellate Division on May 29, 2014.**



*Aprilanne Agostino*

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**Clerk of the Court**